IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.44638 of 2008
MD.ASHRAFUL HAQUE @ MD.ASHRAFUL ALAM
Versus
STATE OF BIHAR
---

2 24.11.2008 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner who is husband apprehends arrest in a Complaint case under section 498A of the Penal Code and 4 of the Dowry Prohibition Act.

The complainant stated that earlier she was married to the elder brother of the petitioner and when he became mentally ill, her marriage was solemnized with the petitioner. There have been no allegations of dowry denying the earlier marriage.

Submission is, therefore, that subsequently after re-marriage with the petitioner who is the younger brother, the allegation has surfaced with other oblique purpose.

Having considered the facts and circumstances of the case, let the petitioner above named surrender in the court below within a period of four weeks from today when he shall be enlarged on anticipatory bail on furnishing bail bonds of Rs 10,000/ - (Ten thousand) with two sureties of the like amount each to the satisfaction of the Sub-

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Divisional Judicial Magistrate, Katihar in Complaint Case no. 1069 of 2008 subject to the condition as laid down under section 438(2)Cr.P.C.

shahid **(Navin Sinha, J)**

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